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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/531,076	03/18/2000	Geoffrey B. Rhoads	60138	5497
<div>23735 7590 01/25/2008</div> <div>DIGIMARC CORPORATION</div> <div>9405 SW GEMINI DRIVE</div> <div>BEAVERTON, OR 97008</div>				
			<div>EXAMINER</div> <div>ZIA, SYED</div>	
			<div>ART UNIT</div> <div>2131</div>	<div>PAPER NUMBER</div>
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/531,076

Applicant(s)

RHOADS ET AL.

Examiner

Syed Zia

Art Unit

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 October 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3-5 and 17-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1, 3-5, and 17-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION


In view of the Appeal Brief filed on October 4, 2007, PROSECUTION IS HEREBY REOPENED. A new ground of rejection set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:


AYAZ SHEIKH
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100

This office action is in response to remarks filed on October 4, 2007. Original application contained Claims 1-16. Applicant previously canceled Claims 2, 6-16, and added new Claims 17-22, and 23-31. Therefore, presently pending claims are 1, 3-5, and 17-31.

Response to Arguments

Applicant's arguments with respect to claim are 1, 3-5, and 17-31 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 112

Regarding Claims 28, and 31 applicant argument found persuasive and previous rejection under 35 U.S.C. 112, has been withdrawn.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-5, and 17-31 are rejected under 35 U.S.C. 102(e) as being anticipated by Weiss (U. S. Patent 7,065,559).

1. Regarding Claim 1 Weiss teaches and describes a system and method for linking between objects, such as print media, and associated remote resources (Fig.1-4, and col.3 line 12 to col.8 line 55) comprising:

- sensing [scanning] an object identifier [bridge code 154] from a first object [computer system 30, PDA 38] (col.6 line 26 to line 33, and col.5 line 45 to line 60);

- sending said first object identifier [bridge code 154] from a first device [computer system 30, PDA 38] to a second device [Bridge Server 20] (col.6 line 57 to col.7 line 10);

- in response, at said second device [bridge code 154], identifying address information corresponding to said first object identifier [bridge code 154] and sending same to the first device; initiating a link from the first device in accordance with said address information (col.7 line 12 to line 45);

- at said second device, identifying additional objects [such as recipe, coupon, author web site] related to said first object but not having the same object identifier sent from the first device to the second device (col.7 line 57 to line 67); identifying additional address information corresponding to said additional objects; and sending said additional address information to the first device; storing said additional address information in a memory at the first device; wherein, if an object included among said identified additional objects is sensed by the first device, the corresponding address information can be retrieved from said memory in the first device without the intervening delays of communicating with the second device (col. 7 line 48 to col.8 line 17).

2. Regarding Claim 3 Weiss teaches and describes system for linking from physical or digital objects to corresponding digital resources (Fig.1-4,and col.3 line 12 to col.8 line 55), comprising:

- registration means for receiving data relating to an object [bridge code 154] (col.6 line 26 to line 33, and col.5 line 45 to line 60); including its identity and owner, and associating same in a database [Database 20] with data relating to a corresponding response (col.7 line 12 to line 45, and col.7 line 65),

- originating device [computer system 30, PDA28] means for sensing data from an input object [scanner], processing same, and forwarding same to a routing means (col.6 line 57 to col.7 line 10);

- routing means for processing the processed data from the originating device [computer system 30, PDA28] means, logging information from same, and forwarding at least certain of said processed data to a product handler [Bridge Server 20] means (col. 7 line 57 to line 67, and col.8 line 11 to line 15;

- an product handler means for providing a response to the originating device means in accordance with the information provided thereto by the routing means (col. 7 line 48 to col.8 line 17).

3. Regarding Claim 17 Weiss teaches and describes in a method of linking from physical objects to corresponding electronic resources (Fig.1-4,and col.3 line 12 to col.8 line 55), the method including decoding object payload [bridge code 154] data from a machine readable [scanning] feature associated with a physical object [media object 150] (col.6 line 26 to line 33,

and col.5 line 45 to line 60), querying a database [database 22] with at least some of said payload data [bridge code 154] to obtain address information associated with said physical object (col.6 line 57 to col.7 line 10); and initiating an electronic link based on said obtained address information (col.7 line 12 to line 45); an improvement comprising foreseeing information about object payloads that may be forthcoming but that do not share the first object the payload data with which the database was queried [such as recipe, coupon, author web site] (col.7 line 57 to line 67); and anticipatory sending address information associated with such foreseen payloads data [such as recipe, coupon, author web site] (col. 7 line 48 to col.8 line 17).

4. Regarding Claim 23 Weiss teaches and describes a method Fig.1-4, and col.3 line 12 to col.8 line 55) comprising:

- sensing [scanning] an object identifier [bridge code 154] from a first object computer system 30, PDA 38, media object 150] (col.6 line 26 to line 33, and col.5 line 45 to line 60);

- sending said first object identifier [bridge code 154] from a first device to a second device [Bridge Server 20] (col.6 line 57 to col.7 line 10);

- in response, at said second device[Bridge Server 20], identifying address information corresponding to said first object identifier and sending same to the first device (col.7 line 12 to line 45); initiating a link from the first device in accordance with said address information at said second device, (col.7 line 12 to line 45);

- after initiating said link, identifying additional objects related [such as recipe, coupon, author web site] to said first object; identifying additional address information corresponding to said additional objects; and sending said additional address information to the first device (col.7

line 57 to line 67); storing said additional address information in a memory at the first device; wherein, if an object included among said identified additional objects is sensed by the first device, the corresponding address information can be retrieved from said memory in the first device without the intervening delays of communicating with the second device (col. 7 line 48 to col.8 line 17).

Regarding Claim 24 Weiss teaches and describes a method of linking from physical objects to corresponding electronic resources (Fig.1-4,and col.3 line 12 to col.8 line 55), the method including decoding object payload [bridge code 154] from a machine readable feature [scanning] associated with a physical object [tangible media object 150] (col.6 line 26 to line 33, and col.5 line 45 to line 60) querying a database [Database 22] with at least some of said payload data to obtain address information associated with said physical object (col.6 line 57 to col.7 line 10); and initiating an electronic link based on said obtained address information(col.7 line 12 to line 45); an improvement comprising foreseeing information about object payloads [such as recipe, coupon, author web site] that may be forthcoming (col.7 line 57 to line 67); and anticipatorily sending address information associated with such foreseen object payloads after initiating said electronic link (col. 7 line 48 to col.8 line 17).

5. Regarding Claim 30 Weiss teaches and describes a method of linking from physical objects to corresponding electronic resources (Fig.1-4,and col.3 line 12 to col.8 line 55), the method including decoding object payload data [bridge code 154] from a machine readable feature associated with a physical object [media object 150] (col.6 line 26 to line 33, and col.5 line 45 to line 60), querying a database [Database 22]with at least some of said payload data to

obtain address information associated with said physical object (col.6 line 57 to col.7 line 10); and initiating an electronic link based on said obtained address information (col.7 line 12 to line 45); an improvement comprising foreseeing information about object payloads that may be forthcoming, and the order in which said other object payloads may be forthcoming [such as recipe, coupon, author web site], and anticipatorily sending address information associated with such foreseen object payloads, in such order (col. 7 line 48 to col.8 line 17).

6. Claims 4-5, 18-22, 25-29, and 31 are rejected applied as above rejecting Claims 3, 17, 24, and 30. Furthermore, system of Weiss teaches and describes a system and method (Fig.1-4, and col.3 line 12 to col.8 line 55) wherein:

As per Claim 4, the routing means includes means for checking information in the database (col.7 line 5 to line 21);

As per Claim 5, the registration means includes means for generating an encapsulating file and means for distributing said file to predetermined parties (col.7 line 22 line 56);

As per 18, the physical object is a member of a logical set, and the method includes anticipatorily sending address information associated with other objects that are also member of said logical set (col.7 line 46 to col.8 line 17);

As per Claim 19, the logical set comprises of advertisements found in particular magazine [tangible media object 150] (col.7 line 46 to col.8 line 17);

As per Claim 20, foreseeing an order in which other object payloads may be forthcoming, and anticipatorily sending address information for each object payloads in said (col.7 line 46 to col.8 line 17).

As per Claim 21, said order is based on an order of printed pages in a bound volume (col.5 line 46 to line 59, and col.7 line 5 to line 45).

As per Claim 22, determining an order in which to send address information associated with said foreseen object based on a contractual arrangement [conditional information] (col.7 line 56 to col.8 line 17).

As per Claim 25, the physical object is a member of a logical set, and the method includes anticipatorily sending address information associated with other objects that are also members of said logical set [objects, such as recipe, coupon, author web site] (col.7 line 46 to col.8 line 17);

As per Claim 26, the logical set comprises a set of advertisements found in a particular magazine [tangible media object 150] (col.7 line 46 to col.8 line 17);

As per Claim 27, includes foreseeing an order in which other object payloads may be forthcoming [objects, such as recipe, coupon, author web site], and anticipatorily sending address information for such object payloads in said order (col.7 line 46 to col.8 line 17);

As per Claim 28, said order is based on an order of printed pages in a bound volume (col.5 line 46 to line 59, and col.7 line 5 to line 45).

As per Claim 29 includes determining an order in which to send address information associated with said foreseen object payloads based on a contractual arrangement [conditional information] (col.7 line 56 to col.8 line 17).

As per Claim 31, said order is based on an order of printed pages in a bound (col.5 line 46 to line 59, and col.7 line 5 to line 45).


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Syed Zia whose telephone number is 571-272-3798. The examiner can normally be reached on 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on 571-272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SZ
January 12, 2008


SYED A. ZIA
PRIMARY EXAMINER